



WEB COPY

WP(IPD) No. 9 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21-07-2026

CORAM

THE HON'BLE MR.JUSTICE K.KUMARESH BABU

WP(IPD) No. 9 of 2026

M/s.Prime Fragrancess
Represented by its Partner Mohammed Shafiulla
Shariff,
No.273/274/17, Ummer Bagh Layout
Banashankari,
2nd Stage, Bengaluru -560070, Karnataka,

..Petitioners

Vs

The Registrar of Trade Marks,
Trade Marks Registry, IB Building, GST Road,
Guindy, Chennai-600 032

..Respondent

Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Certiorarified Mandamus, to call for the records from the Respondent pertaining to the Trade Mark Application No.6140376 in Class 3 for the Mark “GOLDEN SCENT” (Device), and quash the Respondent’s Order dated 16.02.2026 passed in respect of the said application and consequently direct the Respondent to restore the said Trade Mark Application and issue a fresh hearing notice to the Petitioner at the correct address for service, namely its present counsel M/s. Daga and Daga and thereafter proceed to decide the application de novo in accordance with law, after affording a fair and reasonable opportunity of hearing to the petitioner.

For Petitioner : Ms.Anjali Viswanaathan

For Respondent : Mrs. S. Indumathi Ravi,
Senior Panel Central Government Counsel



ORDER

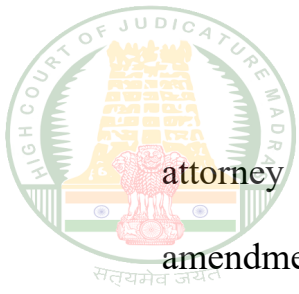
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This writ petition has been filed to quash the respondent's Order dated 16.02.2026 passed in Application No.6140376 in Class 3 for the Mark "GOLDEN SCENT" (Device) and consequently direct the respondent to restore the said Trade Mark Application and issue a fresh hearing notice to the Petitioner at the correct address for service, namely its present counsel M/s. Daga and Daga and thereafter proceed to decide the application *de novo* in accordance with law, after affording a fair and reasonable opportunity of hearing to the petitioner

2. In the impugned order, it was noted that due to the non-representation of either the applicant or their counsel/attorney during the course of the hearing, the objections were sustained and the application of the petitioner was not accepted, and consequently, registration was refused.

3. The short issue involved in the present writ petition is the claim of the petitioner that no notice was served upon either the petitioner or its registered attorney and in that regard the impugned order is assailed.

4. A perusal of the notice dated 24.12.2025 reveals that the notice was addressed to M/s. Nainar and Company, who was the erstwhile registered



attorney in the records of the Registry. It is noted that, by virtue of an amendment carried out on 18.10.2025, the name of the registered attorney had been modified, and presently, M/s. DAGA and DAGA is shown as the registered attorney in the records of the Registry. However, as rightly pointed out by the learned counsel for the petitioner, the notice was not served on the current registered attorney, but on the erstwhile attorney.

5. In such view of the matter, the impugned order is set aside and the application filed by the petitioner/applicant stands restored to its original file. As a consequence, the respondent is directed to issue a fresh notice to the present registered attorney, as shown in its records, and initiate the proceedings afresh.

With the above directions, this writ petition stands allowed. No costs.

21-07-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

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K.KUMARESH BABU J.

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